

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

On June 30, 2006, Plaintiff filed a 133-page Motion for Summary Judgment, along with more than fifteen inmate kites, in this § 1983 action. Dkt. #20. Such motion is premature as the Court has declined to order service of Plaintiff's complaint due to deficiencies therein (*see* Dkt. #18), Plaintiff has not filed an amended complaint to correct the deficiencies, and Defendants have not yet been given the opportunity to file an answer. Having reviewed Plaintiff's motion and the balance of the record, the Court ORDERS as follows:

(1) Plaintiff's Motion for Summary Judgment (Dkt. #20) is STRIKEN as premature. Should Plaintiff wish to refile his motion for summary judgment, he may do so, when appropriate, after an amended complaint correcting the deficiencies in his original complaint has been filed and served and after Defendants' answer to the complaint has been filed.

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ORDER  
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(2) The Clerk shall send a copy of this Order to Plaintiff, and to the Honorable Ricardo S. Martinez.

DATED this 17<sup>TH</sup> day of July 2006.

  
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MONICA J. BENTON  
United States Magistrate Judge